

REMARKS

Claims 1-29 and 34-42 are pending in the above-captioned patent application after this response. Claims 14-29, 34 and 36-42 were allowed.¹ Claims 1-13 and 35 have been rejected. The Applicant has canceled claims 1-13 and 35 for the purpose of expediting the patent application process in a manner consistent with the goals of the Patent Office pursuant to 65 Fed. Reg. 54603 (September 8, 2000), even though the Applicant believes that the previously pending claims were allowable.

No new matter is believed to have been added by this amendment. Consideration of the pending application is respectfully requested.

Rejections Under 35 U.S.C. § 102(b)

Claims 1, 10 and 13 are rejected under 35 U.S.C. § 102(b) as being anticipated by Daly (US 5,199,168). The Applicant has canceled claims 1, 10 and 13 without prejudice by this amendment. Therefore, the rejection of these claims is believed to be moot.

Rejections Under 35 U.S.C. § 103(a)

Claims 2-9, 12 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daly in view of Sawano et al. (JP 10-106074). Further, claims 5-9, 11-12 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hikita as applied to claims 1-4 and 10 above or Hikita as applied to claims 1-4, 10, 14-15, 20-21 and 26-27 above. As provided above, the Applicant has canceled claims 1-13 and 35 without prejudice by this amendment. Therefore, the rejection of these claims is believed to be moot.

Allowed Claims / New Claims

Claims 14-29, 34 and 36-42 have been allowed.

¹ The Advisory Action mailed on December 29, 2009, erroneously states that the allowed claims are 1-13 and 35. However, the Final Rejection mailed on November 9, 2009 correctly states that the allowed claims are 14-29, 34 and 36-42, and that claims 1-13 and 35 are rejected.

Conclusion

In conclusion, the Applicant respectfully asserts that claims 14-29, 34 and 36-42 should be allowed. The Applicant submits that the application is in condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 858-635-2142 for any reason that would advance the instant application to issue.

Dated this 25th day of January, 2010.

Respectfully submitted,

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